

ORIGINAL

United States district court
Northern district of Texas
Fort Worth Division

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
OCT 16 2014
CLERK, U.S. DISTRICT COURT
By _____ Deputy
11:45 AM CT

UNITED STATES OF AMERICA)

v.

) No. 4:14-CR-00023-A

CHRISTOPHER ROBERT WEAST) Special Appearance Only

Stay Pending the Disposition of a Motion
Motion to Dismiss for Lack of Subject-Matter Jurisdiction
Mandatory Judicial Notice FRCP 201(d)
Affidavit of Fact

COMES now Christopher Robert of the family Weast (Hereinafter "The Private Man; I; I Am."), a Natural Citizen of Heaven on Earth, Ambassador and Minister of Heaven on Earth, domiciled in the Kingdom of Heaven on Earth, Constitutional National of the Union (without the United States), Transient Foreigner on the Soil of Earth, and demands, wishes and wills, in his own handwriting, that this legislative tribunal Dismiss this [cause] under Federal Rules Civil Procedure 60(b)(3), 60(b)(4), 60(b)(6), 60(c)(1), and 60(c)(2), and grant an Emergency Stay of Proceedings pursuant to FRCP 62(b)(4) and/or Dismiss for Lack of Subject-matter jurisdiction based on the following:

FACTS

Any ruling made by a court in which there was a lack of Subject-Matter jurisdiction is called a "Void" Judgment. The really big deal, the real issue in void judgments

is SUBJECT MATTER JURISDICTION! Subject matter jurisdiction can never be waived, and cannot be construed even by mutual consent of the parties.

The Private Man denies ever signing any contract and/or other obligation that binds him to the maritime or admiralty jurisdiction.

The Private Man did not, nor has he ever conveyed any interest, right of title of himself or his private property to the [State], or the [United States].

The [Government] has not entered, on and for the record, a single contract, wherein The Private Man consented, knowingly and intentionally with full knowledge of the consequences of the contract, into evidence which must be entered by the original Real Party in Interest.

The Private Man demands the Real Party in Interest be put on the witness stand to testify with first hand knowledge, either their injury or the contract.

If the government is unable or unwilling to admit the contract or other alleged obligation into evidence, and produce the "Real Party in Interest" as a witness to testify with First Hand Knowledge, then its [case] falls apart absent proof of subject matter jurisdiction. If the Government attorney refuses to withdraw the claim, and/or McBryde refuses to dismiss the [case], they will be proceeding without subject

matter jurisdiction. With no subject matter jurisdiction, Judge McBryde and other officers of the court have no official or judicial immunity and can be held personally and criminally liable for wrongdoing. The courts have held:

"When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost." [Rankin v. Howard, (1980) 633 F.2d 844, cert. den. Zeller v. Rankin, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326]; and

"A judge must be acting within his jurisdiction as to subject matter and person, to be entitled to immunity from civil action for his acts." [Davis v. Burris, 51 Ariz. 220, 75 P.2d 689 (1938)]; and

"When a judicial officer acts entirely without jurisdiction or without compliance with jurisdiction requisites he may be held civilly liable for abuse of process even though his act involved a decision made in good faith, that he had jurisdiction." [Little v. U.S. Fidelity & Guaranty Co., 217 Miss. 576, 64 So. 2d 697]; and

"No judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless."

violence." [Ableman v. Booth, 21 Howard 506 (1859)], and

"We (judges) have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." [Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200].

Subject matter jurisdiction requires a competent witness or notarized affidavit demonstrating an injury and a [statutory] or common law basis for a remedy of the injury.

I, the Private Man, Am a citizen of Heaven, domiciled in Heaven, Ambassador and Minister of a foreign state known as Heaven, transient foreigner of Earth, and National of the united Sovereigns of Earth, and not a [U.S. citizen, Citizen or CITIZEN"] under [8 USC § 1101(a)(21) or 8 USC § 1101(a)(22)(B)].

I, the Private Man, Am NOT a [U.S. Citizen, citizen, or CITIZEN"] under [8 USC § 1401] subject to the jurisdiction of the court.

I, The Private Man, Am not a statutory ["person" or individual"] nor have I ever consented to be a statutory ["Person" or Individual"].

I, The Private Man, Am not a statutory citizen, Citizen, or CITIZEN nor Am I a statutory "national" and the court cannot interfere with a Private Man's political choice of

domicile and thereby preclude the ~~Private~~ ^{Man} from involving himself in the administration of government as a public officer or within the domicile of the Private ^{Man's} choice.

Both "citizenship" and "domicile" depend on allegiance. For instance, ~~the~~ ^{the} ~~domicile~~ is based on allegiance in exchange for protection. Being a [statutory "citizen"] also has a prerequisite of allegiance. For instance:

Title 8 > Chapter 12 > Subchapter III > Part I > § 1401
§ 1401. Nationals and citizens of the [United States] at birth

The following shall be nationals and citizens of the [United States] at birth:

(a) a person born in the [United States], and subject to the jurisdiction thereof;

I, the Private ^{Man}, Am not, nor have I ever been, subject to the jurisdiction of the [United States], nor was I born in the [United States].

I, the Private ^{Man}, Am not a national or citizen of the [United States] nor have I ever been a national or citizen of the [United States], as described in [Title 8 > Subchapter III > Part I > § 1401].

A "national" is then defined as a person who "owes allegiance":

Title 8>Chapter 12>Subchapter I>Sec. 1101.

Sec. 1101.-Definitions

(a)(2) The term "national" means a person owing permanent allegiance to a state.

I, the Private ^{Man} [REDACTED], Am not, and have ~~been~~ never been a national as defined in Title 8>Chapter 12>Subchapter I>Sec. 1101 as I, the Private ^{Man} [REDACTED], have never owed allegiance to a state.

The only difference between "citizenship" and "domicile" is therefore the object of allegiance. Allegiance, which must be voluntary, is what makes both of them a political relation and the expression of a First Amendment right of free political association. With "citizenship", the allegiance is directed towards a "state".

"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.

For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation.

For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more." [Minor v. Happersett, 88 U.S. 162 (1874)]

With "domicile," the allegiance is directed at the local government, which is a child or creation of a superior "state". Regardless, both of these relations are entirely and exclusively "political", and cannot exist without either the tacit or express "consent of the governed", as the Declaration of Independence requires. Below is how the [U.S. Supreme Court] compared "allegiance" with "citizenship".

"Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is ~~not~~ perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to

elucidate. And yet, even among the nations, in which the law of allegiance is the most firmly established, ~~the~~ the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man.... The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous sovereign... "

[*Talbot v. Janson*, 3 U.S. 133 (1795) (headnotes, not within case)]

I, the Private ^{man} [REDACTED], Am not, and never have been, a citizen of a State of the [United States], as stated [28 U.S.C. § 1603].

The term "citizen of a State of the [United States]" refers to a person who is born within and living within a federal territory or possession. This is confirmed by definition of "State" found in [4 U.S.C. § 110(d)]:

[Title 4 > Chapter 4 > § 110.
§ 110. Same; definitions.]

As used in sections 105-109 of this title

(d) The term "State" includes any Territory or possession of the [United States.]

I, the Private ^{man} [REDACTED], have never been a franchisee, franchisee, employee or agent for the [United States.]

We must remember that in America, the People, and not our public servants, are the Sovereigns. We the People, who are the Sovereigns, choose our associations and govern ourselves through our elected representatives.

"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'Sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty..."
[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

When those representatives cease to have our best interests or protection in mind, then we have not only a [right], but a duty, according to the [Declaration of Independence], to alter our form of self-government by whatever means necessary to guarantee our future security.

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

[Declaration of Independence]

The Federal District Courts, Circuit, and Tax Courts are Part of the Executive Branch instead of the Judicial Branch and therefore can only render political opinions and not orders.

Common-Law. "Calif. Civil Code, Section 22.2, provides that the "common law of ~~the~~ England, so far as it is not repugnant to or inconsistent with the Constitution of the [United States], or the Constitution or laws of this State, is the rule of decision in all the courts of this State."

"In a broad sense, "common law" may designate all that part of the positive law, juristic theory, and ancient custom of any state or nation which is of general and universal application, thus marking off special or local rules or customs.

"For federal common law, see that title.

"As a compound adjective "common-law" is understood as contrasted with or opposed to "Statutory," and sometimes also to "equitable" or to "criminal."
[Black's Law Dictionary, Sixth Edition, p. 276]

It is the duty of vigilant Americans, federal judges, government employees, and government counsel to be alert for the abuse of case law as "political propaganda" and they should stop it immediately with appropriate citations of [legal] authority. If they do not, then there will be no end to further usurpations. Of this type of vigilance, the [U.S. Supreme Court] has held:

"The necessity of preserving each [state of the Union] from every form of illegitimate [federal] intrusion or interference on the part of the other is so imperative

as to require this court, when its judicial power is properly invoked, to view with a careful eye and discriminating eye any legislation challenged as constituting such an intrusion or interference. See [South Carolina v. United States, 199 U.S. 437, 448, 26 S.Ct. 110, 4 Ann.Cas. 737.] Charles C. Steward Machine Co. v. Davis, 301 U.S. 548 (1937)]

"It may be that it... is the obnoxious thing in its mildest and least repulsive form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from [legal] modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the [right], as if it consisted more in sound than in substance. It is the duty of the courts to be watchful for the constitutional [rights] of the [citizens], and against any stealthy encroachments thereon. Their motto should be obsta principali." [Mr. Justice Brewer, ~~dissenting~~, dissenting, quoting Mr. Justice Bradley in Boyd v. United States, 116 U.S. 616, 29 L.Ed. 746, 6 Sup.Ct.Rep. 524] [Hale v. Henkel, 201 U.S. 43 (1906)]

United States District Courts, including all those situated within states of the Union, are established pursuant to Article IV of the [United States] Constitution. Authorities documenting this fact include those below:

1. There is no statute within Title 28 of the [United States Code] establishing any of them pursuant to Article III of the Constitution.
2. When Congress wants to invoke Article III of the Constitution and directly confer Article III jurisdiction, they know EXACTLY how to do it. Below is an example of such language expressly conferring Article III jurisdiction upon an earlier version of the court of Claims prior to 1982. The legislative notes under [28 U.S.C. § 171] indicate that the Court of Claims originally was an Article III court but became an Article I court when the Court of Appeals for the [Federal] Circuit was created. Since 1982, only TWO [Federal] courts remain with Constitution Article III jurisdiction, which is the Court of International Trade and the [U.S. Supreme Court's] original and not appellate jurisdiction.

[28 U.S.C. § 171] Legislative Notes Amendments

1982 - Pub. L. 97-164 designated existing provisions as subsec. (a), substituted "sixteen judges who shall constitute a court of record known as the [United States Claims Court]" for "a chief judge and six associate judges who shall constitute a court of record known as the [United States] Court of Claims" and "The court is declared to be a court established under article I of the Constitution of the [United States]" for "Such court is hereby declared to be a court established under article III of the Constitution of the Constitution of the [United States]" in subsec. (a) as so designated, and added subsec. (b).

The [U.S. Supreme] Court admitted that [United States District Courts] are established pursuant to Article IV of the Constitution:

"The [United States District Court] is not a true [United States] court established under Article III of the Constitution to administer the judicial power of the [United States] therein conveyed. It is created by virtue of the sovereign congressional faculty, granted under Article IV, Section 3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the [United States]. The resemblance of its jurisdiction to that of true [United States] courts in offering an opportunity to nonresidents of resorting to a tribunal not subject to local influence, does not change its character as a mere territorial court."

[Balzac v. Porto Rico, 258 U.S. 298 at 312, 42 S.Ct. 343, 66 L.Ed. 627 (1921), Chief Justice Taft, former President of the [United States]].

The Appeals Courts have admitted that [United States District Courts] are legislative courts, and that all of their authority derives only from acts of Congress, which implies that NONE of their authority derives directly from the Constitution ~~for~~ for the [United States].

[United States District Courts] have only such jurisdiction as is conferred by an Act of Congress under the Constitution. [U.S.C.A. Const. art. 3, sec. 2; 28 U.S.C.A. 1344]" [Hubbard v. Ammerman, 465 F.2d. 1169 (5th Cir. 1972)] [headnote 2. Courts]

[Judge] McBryde is and has been acting in POLITICAL capacity as evidenced by his behaviors such as the following:

McBryde makes conclusive presumptions about "facts" related to the "case" for the benefit of the government as well as defending the government prosecutor from having to prove presumptions he/she has substituted in place of evidence. All such presumptions have invariably been made to the BENEFIT of the government and at the EXPENSE of the private party to the proceeding.

"It is apparent," this court said in the Bailey Case (219 U.S. 239, 31 S.Ct. 145, 151) "that a constitutional prohibition cannot be transgressed indirectly by the creation of a statutory presumption any more than it can be violated by direct enactment. The power to create presumptions is not a means of escape from constitutional restrictions." [Heiner v. Donnan, 285 U.S. 312 (1932)]

McBryde has repeatedly declined to hear or rule on issues AGAINST the government's interest, and thereby ABUSING OMISSION to protect crime or injuries unlawfully inflicted by the government. McBryde has twice become the "Judge" in civil actions filed by the Private ^{Man} ~~Person~~ and dismissed them.

Proof of Jurisdiction MUST appear on the record of the court. Once the court has knowledge that subject matter is lacking, the (meaning you McBryde) has

no discretion but to dismiss the action. Failure to dismiss the action means the court is proceeding in clear absence of ALL jurisdiction and subjects the judge to suit. Personal jurisdiction cannot be presumed either since citizenship and domicile are and must be voluntary.

Subject Matter Jurisdiction requires a competent witness or notarized affidavit demonstrating an injury.

The Government's original petition is defective since it fails to be written by a competent witness who demonstrates an injury of any kind. Subject matter jurisdiction is lost if a defective petition is filed. [Brown v. VanKeuren, 340 Ill. 118, 122 (1930)]

Furthermore, McBryde violated the Code of Judicial Conduct when he practiced law from the bench twice at the May 28, 2014 "hearing/arraignment" when he suggested an enhancement to the "charge" to the government prosecutor and then went further, suggesting the government file a Motion to Determine Competency, a direct violation of due process. [Johnson v. Zerbst, 304 U.S. 458, 58 S.Ct. 1019 (1938)]; [Pure Oil Co. v. City of Northlake, 10 Ill.2d 241, 245, 140 N.E.2d 289 (1956)]; Hallberg v. Goldblatt Bros., 363 Ill.2d 25 (1936).]

The Private ^{Man} DEMANDS that this court ~~show~~ show PROOF of the court's subject matter jurisdiction

appear on the record.

Furthermore, my common law [right] to change my name has been repeatedly infringed by [Federal] government personnel including but not limited to, McBryde, Saleem, and Fort Worth [Federal] Correctional Institution. see [Doe v. Dunning, 87 Wn.2d 50, 549 P.2d 1 (1976)]

I have been systematically punished in numerous ways i.e. BEFORE trial, for doing what I had a right to do!

"Punishing a [person] for doing what he had a [right] to do is a basic due process violation." [U.S. v. Sanders, 211 F.3d 711].

I, the Private ^{man} [REDACTED], hereby denies the existence of any valid contracts, either verbal or written, either expressed or implied in fact, whereby He might have waived any of His fundamental [Rights] secured by [REDACTED] God for the united states of America known as the De Jure Union as well as the Constitution for the Republic of Texas.

Waivers of fundamental [Rights] will never be presumed, ever. See [Bell v. Public Utilities Commission, 301 U.S. 292.] Waivers of fundamental [Rights] must be knowing, intentional, and voluntary acts, done with sufficient awareness of the relevant circumstances and likely consequences. See [Brady v. U.S., 397 U.S. 742 at 748 (1970)]. Deprivation of fundamental [Rights], privileges, or immunities secured by the Constitution for the united states of America is a

criminal violation of [18 U.S.C. 242. See also 18 U.S.C. 241].

A practice condemned by the Constitution for the United States of America cannot be saved by historical acceptance and present convenience. [U.S. v. Woodley, 726 F.2d 1328, 1338 (1983)] [emphasis added]

It is obviously correct that no one acquires a vested or protected [right] in violation of the Constitution for the united states of America by long use, even when that span of time covers our entire national existence and indeed predates it. [Walz v. Tax Commission of New York City, 397 U.S. 664, 678 (1970), emphasis added]

The custom of continuing arbitrary emergency declarations, so as to effect the appearance of an unbroken state of emergency, has the unavoidable consequence of levying war against the states of the Union and is, therefore, unconstitutional. [see 12 U.S.C. 95(a), (b); Art. III, Sec. 3, Cl. 1; 18 U.S.C. 242.]

"The party invoking [federal] jurisdiction bears the burden of establishing" standing-and, at the summary judgment stage, such a party "can no longer rest on ... 'mere allegations,' but must 'set forth' by affidavit or other evidence 'specific facts.'" [Defenders of Wildlife, 504 U.S., at 561, 112 S.Ct. 2130, 119 L.Ed. 2d 351]; "Injury in perception" would seem to be the very antithesis of "injury in fact." As the ~~said~~ very

words suggest, the latter sort of injury must be "distinct and palpable," [Warth v. Seldin, 422 U.S. 490, 501, 45 L. Ed. 2d 343, 95 S. Ct. 2197 (1975) (emphasis added)], "particular [and] concrete," [United States v. Richardson, 418 U.S. 166, 177, 41 L. Ed. 2d 678, 94 S. Ct. 2940 (1974) (emphasis added)], "specific [and] objective," [Laird v. Tatum, 408 U.S. 1, 14, 33 L. Ed. 2d 154, 92 S. Ct. 2318 (1972) (emphasis added)].

As a recent [Supreme Court] decision, decided April 26, 1995, addresses the issues of exclusive legislative jurisdiction of the [Congress], the powers of the [federal government], and the subsequent subject matter of a [Federal District Court]. [Supreme Court] Justice Thomas in the concurring majority opinion in the case of [United States v. Lopez, No. 93-1260, 115 S.Ct. 1624, 131 L.Ed. 2d 626] states very clearly:

Indeed, on this crucial point, the majority and Justice Breyer [the Justice writing the dissenting opinion] agree in principle: the [Federal Government has nothing approaching a police power.]

Then Justice Thomas went on to discuss a regulation of police (pg. 86), wherein he stated:

[United States v. Dewitt, 76 US 41, 9 Wall 4, 19 L. Ed. 593 (870)], marked the first time the court struck down as exceeding the power conveyed by the commerce clause. In a 2 page opinion, the

court invalidated a nation-wide law prohibiting all sales of naphtha, and illuminating oils. In so doing, the court remarked that the commerce clause has always been understood as limited by its terms; and as a virtual denial of any power to interfere with the internal trade and business of the separate states."

Further support for this understanding is readily available from the courts:

"Special provision is made in the Constitution for the United States of America for the cession of jurisdiction from the states over places where the [Federal] government shall establish forts or other military works. And it is only in these places, or in territories of the [United States], where it can exercise a general jurisdiction." [New Orleans v. United States, 35 U.S. (10 Pet.) 662 (1836)]

All legislation is *prima facie* (Presumed) territorial [American Banana Co. v. U.S. Fruit, 213, U.S. 347 at 357-358]

There is a canon of legislative construction which teaches [Congress] that, unless a contrary intent appears [legislation] is meant to apply only within territorial jurisdiction of the [United States]. [U.S. v. Spelar, 338 U.S. 217 at 222]

the [United States] never held any municipal sovereignty, jurisdiction, or right of soil in the

Republic of Texas or any of the new states of the Union which were formed... The [United States] has no Constitutional capacity to exercise municipal jurisdiction, sovereignty or eminent domain, within the limits of a state of the Union or elsewhere, except in the cases in which it is expressly granted...
[Pollard v. Hagan, 44 U.S.C. 213, 221, 223]

...the states of the Union are separate sovereigns with respect to the [federal] government.
[Heath v. Alabama, 474 U.S. 187]

No sanction can be imposed absent proof of jurisdiction [Stanard v. Oleson, 74 S.Ct. 768] however, McBryde has repeatedly proceeded arbitrarily and capriciously without requiring the government prosecutor to enter proof of jurisdiction, on and for the record, and "Once challenged, jurisdiction cannot be assumed; it must be proved to exist." [Stuck v. Medical Examiners, 94 Cal.2d 751. 211 P.2d 389]

This court should know, that, "jurisdiction, once challenged, cannot be assumed and must be decided; [Maine v. Thiboutot, 100 S. Ct. 250] and "the law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings;" [Hagans v. Levine, 415 U.S. 533] because "[Federal jurisdiction cannot be assumed, but must be clearly shown; [Brooks v. Yawkey, 200 F.2d 633] and "if any tribunal finds absence of proof of jurisdiction over person or subject matter, the case must be dismissed." [Louisville R.R. v. Motley, 211 U.S. 149, 24 S.Ct 42]

20 of 25

an equal eye or a heavy hand was discriminatory and violates equal protection." [Yick Wo v. Hopkins, 118 U.S. 351 (1886)]

My sincerely held religious convictions establish that I, the Private ~~Man~~, as a believer cannot be a "citizen" or "subject" to any earthly government. Both of these statuses depend on a voluntary choice of domicile that is within the jurisdiction of a specific earthly government. You will also note that the result of exercising one's religious [rights] under the [First Amendment] implies the ability to allow one's religious views to impact their political affiliations as well. To conclude otherwise, is to interfere with the exercise of religious [rights]:

"For our citizenship is in heaven [primarily, and not earth], from which we also eagerly wait for the Savior, the Lord Jesus Christ" [Philippians 3:20, Bible, NKJV]

"Come out from among them [the unbelievers] And be separate, says the Lord. Do not touch what is unclean, and I will receive you. I will be a Father to you, And you shall be my sons and daughters, says the Lord Almighty." [2 Corinthians 6:17-18, Bible, NKJV]

"Do not love the world or the things in the world. If anyone loves [is a citizen of] the world, the love of the Father is not in Him. For all that is in the world -- the lust of the flesh, the lust of the eyes, and the pride of life--is not of the Father but is of the world. And the world is passing away, and the lust of it; but he who does the will of God abides forever." [1 John 2:15-17, Bible, NKJV]

"Adulterers and adulteresses! Do you know that friendship [and "citizenship"] with the world is enmity with God? Whoever therefore wants to be a friend [citizen or "taxpayer"] of the world makes himself an enemy of God." [James 4:4, Bible, NKJV]

"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and to keep oneself unspotted from the world [and the corrupted governments and laws of the world.] [James 1:27, Bible, NKJV]

The Court should also note that the [U.S. Supreme Court] agreed that the choice of allegiance and domicile must be voluntary and uncoerced when it said:

"The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction." [United States v. Cruikshank, 92 U.S. 542 (1875)] [emphasis added]

The "citizen" they are talking about above is a domiciliary, not a "national". Here is the proof:

The writers upon the law of nations distinguished between a temporary residence in a foreign country for a special purpose and a residence accompanied with an intention to

make it a permanent place of abode. The latter is styled by Vattel [in his book *The Law of Nations*] "domicile," which he defines to be "a habitation fixed in any place, with an intention of always staying there." Such a person, says this author, becomes a member of the new society at least as a permanent inhabitant, and is a kind of citizen of the inferior order from the native citizens, but is, nevertheless, united and subject to the society, without participating in all its advantages. This right of domicile, he continues, is not established unless the person makes ~~sufficiently known~~ sufficiently known his intention of fixing there, either tacitly or by an express declaration. Vatt. *Law Nat.* pp. 92, 93. Grotius nowhere uses the word "domicile," but he also distinguishes between those who stay in a foreign country by the necessity of their affairs, or from any other temporary cause, and those who reside there from a permanent cause. The former he denominates "strangers," and the latter, "subjects." The rule is thus laid down by Sir Robert Phillimore:

There is a class of persons which cannot be, strictly speaking, included in either of these denominations of naturalized or native citizens, namely, the class of those who have ceased to reside [maintain a domicile] in their native country, and have taken up permanent abode in another. These are domiciled inhabitants. They have not put on a new citizenship through some formal mode enjoined by the law or the new country. They are de facto, though not de jure, citizens of the ~~new~~ country of their [new chosen] domicile. [*Fong Yue Ting v. United States*, 149 U.S. 698 (1893)]

THEREFORE, for the reasons stated herein, The Private Man Demands, Wishes and Wills this court to Dismiss this alleged case with Prejudice and Release the Private Man from his injurious and unlawful confinement.

I, Christopher Robert of the family Weast, a living, breathing Man, Declare in my own handwriting under penalty of perjury under the laws of the Republic where I temporarily occupy but do not maintain a "domicile" or "residence" and from without the [United States] defined in 28 U.S.C. § 1603(c), 26 U.S.C. § 7408(d), and 26 U.S.C. § 7701(a)(9) and (10) and only when litigated under the following conditions that facts, exhibits, and statements made by in this and the attached pleading me are true, correct, and complete to the best of my knowledge, and ability in accordance with 28 U.S.C. § 1746(1).

"Without Recourse"

"Without Prejudice", "All Rights Reserved"

This Waives UCC 1-308

Christopher Robert of the family Weast

Under Protest

FAMILY WEAST
OFFICIAL SERV

October 14, 2014

Executed On:

Christopher Robert of the family Weast
425 of 19717
Federal Corrections Institution
P.O. Box 15330
Fort Worth, Texas ~ USA
Non Domestic, Non Federal



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CLERK OF COURT

[Legal Mail]

4779-177

Eldon B. Mahon
Judge McCoyde
501 W. 10TH ST
Room 310

FORT Worth, TX
USA
Non Domestic, Non Federal